

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	CASE NO. 13-30466-BJH-13
ERVIN FRANK LAYER	§	
DEBTOR	§	CHAPTER 13

RESPONSE OF BAYVIEW LOAN SERVICING, LLC
TO TRUSTEE'S MID-CASE NOTICE OF AMOUNT DEEMED
NECESSARY TO CURE MORTGAGE ARREARS
(145)

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW BAYVIEW LOAN SERVICING, LLC, its successors and assigns (hereinafter, "Respondent"), and files this Statement in Response to Trustee's Mid-Case Notice of Amount Deemed Necessary to Cure Mortgage Arrears, filed as Docket No. 145 on or about July 12, 2016.

1. Respondent **AGREES** that, as of the date of the Trustee's Notice, a total of **\$12,996.54** has been disbursed towards Respondent's pre-petition arrears in the amount of \$19,009.71, leaving \$6,013.17 due and owing on Court Claim number 6, Trustee's Claim number 4.

2. Respondent **DISAGREES** that Debtor is current on the post-petition mortgage payments and, as of the date hereof, the loan is post-petition due for the July 2016 payment. July 2016 through September 2016 payments are \$1,314.75 each, with a suspense balance of \$276.17, for a total post-petition delinquency of \$3,668.08 through the date of this response. The post-petition payment history is attached.

Respectfully submitted,
Codilis & Stawiarski, P.C.

By: /s/ Thomas F. Jones III
Yvonne V. Valdez SBOT 24069019
Thomas F. Jones III SBOT 10974400
650 N. Sam Houston Parkway East, Suite 450
Houston, Texas 77060
Telephone: (281) 925-5200
Facsimile: (281) 925-5300
ATTORNEYS FOR RESPONDENT

CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2016 , a true and correct copy of the Response to Trustee's Notice of Amount Deemed Necessary to Cure Mortgage Arrears shall be served via electronic means, if available, otherwise by regular, first class mail to the following parties at the addresses indicated by deposit in the United States Mail, first class postage prepaid on September 12, 2016.

ERVIN FRANK LAYER
9814 FAIRCREST DR.
DALLAS, TX, 75238
DEBTOR

WELDON REED ALLMAND
860 AIRPORT FREEWAY, SUITE 401
HURST, TX 76054
ATTORNEY FOR DEBTOR

THOMAS POWERS
125 E. JOHN CARPENTER FRWY., SUITE 1100
IRVING, TX 75062-2288
CHAPTER 13 TRUSTEE

Codilis & Stawiarski, P.C.

/s/ Thomas F. Jones III
Yvonne V. Valdez SBOT 24069019
Thomas F. Jones III SBOT 10974400
ATTORNEYS FOR RESPONDENT

Redacted

Loan Number: [REDACTED] Filing Date: 2/1/2013
Mortgagor Last Name: LAYER Case Number: 13-30466
Property Address: 9814 Faircrest Dr Investor: FHLMC
Dallas, TX 75238 Next Analysis: N/A
Date Produced: 8/5/2016

PAYMENT CHANGES		
	3/1/2013	1,220.97
PCN not filed	1/1/2015	1,289.50
	3/1/2015	1,314.75
PCN not filed	3/1/2016	1,482.68

POST PETITION PAYMENT HISTORY

TRANSACTION DATE	AMOUNT RECEIVED	AMOUNT DUE	Post Petition Due Date	TRANSACTION DESCRIPTION	DBTR SUSPENSE	POST SUSP. BALANCE
8/12/2013	\$1,220.97	\$1,220.97	3/1/2013	Payment	\$0.00	\$0.00
9/10/2013	\$1,220.97	\$1,220.97	4/1/2013	Payment	\$0.00	\$0.00
10/7/2013	\$1,220.97	\$1,220.97	5/1/2013	Payment	\$0.00	\$0.00
11/8/2013	\$1,220.00			Post Suspense Credit	\$1,220.00	\$1,220.00
12/23/2013	\$1,220.00	\$1,220.97	6/1/2013	Payment	-\$0.97	\$1,219.03
1/27/2014	\$1,220.00	\$1,220.97	7/1/2013	Payment	-\$0.97	\$1,218.06
4/24/2014	\$1,220.00	\$1,220.97	8/1/2013	Payment	-\$0.97	\$1,217.09
6/3/2014	\$1,220.00	\$1,220.97	9/1/2013	Payment	-\$0.97	\$1,216.12
7/7/2014	\$12,209.70			Billback Credit	\$12,209.70	\$13,425.82
		\$1,220.97	10/1/2013	Payment	-\$1,220.97	\$12,204.85
		\$1,220.97	11/1/2013	Payment	-\$1,220.97	\$10,983.88
		\$1,220.97	12/1/2013	Payment	-\$1,220.97	\$9,762.91
		\$1,220.97	1/1/2014	Payment	-\$1,220.97	\$8,541.94
		\$1,220.97	2/1/2014	Payment	-\$1,220.97	\$7,320.97
		\$1,220.97	3/1/2014	Payment	-\$1,220.97	\$6,100.00
		\$1,220.97	4/1/2014	Payment	-\$1,220.97	\$4,879.03
		\$1,220.97	5/1/2014	Payment	-\$1,220.97	\$3,658.06
		\$1,220.97	6/1/2014	Payment	-\$1,220.97	\$2,437.09
		\$1,220.97	7/1/2014	Payment	-\$1,220.97	\$1,216.12
7/18/2014	\$1,220.34	\$1,220.97	8/1/2014	Payment	-\$0.63	\$1,215.49
10/14/2014	\$1,220.00	\$1,220.97	9/1/2014	Payment	-\$0.97	\$1,214.52
11/5/2014	\$1,220.00	\$1,220.97	10/1/2014	Payment	-\$0.97	\$1,213.55
12/10/2014	\$1,220.00	\$1,220.97	11/1/2014	Payment	-\$0.97	\$1,212.58
2/2/2015	\$1,220.00	\$1,220.97	12/1/2014	Payment	-\$0.97	\$1,211.61
3/11/2015	\$1,220.00	\$1,220.97	1/1/2015	Payment	-\$0.97	\$1,210.64
4/8/2015	\$1,234.00	\$1,220.97	2/1/2015	Payment	\$13.03	\$1,223.67
5/5/2015	\$1,220.00	\$1,314.75	3/1/2015	Payment	-\$94.75	\$1,128.92
6/10/2015	\$1,220.00	\$1,314.75	4/1/2015	Payment	-\$94.75	\$1,034.17
7/10/2015	\$1,220.00	\$1,314.75	5/1/2015	Payment	-\$94.75	\$939.42
8/7/2015	\$1,220.00	\$1,314.75	6/1/2015	Payment	-\$94.75	\$844.67
9/2/2015	\$1,220.00	\$1,314.75	7/1/2015	Payment	-\$94.75	\$749.92
10/5/2015	\$1,220.00	\$1,314.75	8/1/2015	Payment	-\$94.75	\$655.17
11/3/2015	\$1,220.00	\$1,314.75	9/1/2015	Payment	-\$94.75	\$560.42
12/2/2015	\$1,220.00	\$1,314.75	10/1/2015	Payment	-\$94.75	\$465.67
12/24/2015	\$1,220.00	\$1,314.75	11/1/2015	Payment	-\$94.75	\$370.92
2/4/2016	\$1,220.00	\$1,314.75	12/1/2015	Payment	-\$94.75	\$276.17
3/4/2016	\$1,314.75	\$1,314.75	1/1/2016	Payment	\$0.00	\$276.17
4/7/2016	\$1,314.75	\$1,314.75	2/1/2016	Payment	\$0.00	\$276.17
4/29/2016	\$1,314.75	\$1,314.75	3/1/2016	Payment	\$0.00	\$276.17
6/9/2016	\$1,314.75	\$1,314.75	4/1/2016	Payment	\$0.00	\$276.17
7/5/2016	\$1,314.75	\$1,314.75	5/1/2016	Payment	\$0.00	\$276.17
7/28/2016	\$1,314.75	\$1,314.75	6/1/2016	Payment	\$0.00	\$276.17
					\$0.00	\$276.17
		\$1,314.75	7/1/2016	Payment Due	-\$1,314.75	-\$1,038.58
		\$1,314.75	8/1/2016	Payment Due	-\$1,314.75	-\$2,353.33
		\$1,314.75	9/1/2016	Payment Due	-\$1,314.75	-\$3,668.08
					\$0.00	-\$3,668.08
					\$0.00	-\$3,668.08
					\$0.00	-\$3,668.08